

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6500 of 2024

Arising Out of PS. Case No.-871 Year-2023 Thana- MAJHAULIA District- West Champaran

NAZRE ALAM @ JOKHU MIAN Son of Shekh Kamarul Hak Resident of
Village-Bhogari, P.S.-Majhauria, District-West Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, Advocate
For the informant	:	Mr. Avinash Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Majhauria P.S. Case no. 871 of 2023 registered under sections 363, 366A, 323, 380, 504, 506 and 34 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states that she saw a girl from his house carrying a bag going towards the motorcycle which was parked nearby. Thereafter he saw the petitioner making his daughter sit on the said motorcycle. On the informant making an attempt to stop the petitioner, the informant was kicked and the petitioner escaped. On his wife examining the contents in her house, she disclosed that Rs.



55,000/- besides ornaments had been taken away. On the informant going to the petitioner's house, he was abused and threatened.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are false and concocted. The daughter of the informant returned and her statement was recorded both under sections 161 and 164 Cr.P.C. wherein she has categorically stated that she went with the petitioner out of her own free will. The petitioner is in custody since 8.10.2023, has no criminal antecedent and chargesheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the daughter of the informant is admittedly a minor and hence her consent etc. is of no relevance.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. together with the contents of the statement under section 164 Cr.P.C. and the daughter of the informant being aged about 15 years, the Court is not inclined to enlarge the petitioner on bail and the



application is rejected.

7. Liberty is granted to the petitioner to renew his prayer
for bail after six months or on framing of charge whichever is later.

(Partha Sarthy, J)

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